

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE WAWA, INC. DATA SECURITY  
LITIGATION**

**Case No. 19-6019-GEKP**

**Class Action**

*This document relates to: Consumer Track*

**CONSUMER PLAINTIFFS' UNOPPOSED MOTION FOR AN ORDER  
PRELIMINARILY APPROVING CLASS ACTION SETTLEMENT, PROVISIONALLY  
CERTIFYING SETTLEMENT CLASS, AND DIRECTING NOTICE**

Consumer Track Plaintiffs Kenneth Brulinski, Kelly Donnelly Bruno, Amanda Garthwaite, Marisa Graziano, Tracey Lucas, Marcus McDaniel, Joseph Muller, April Pierce, Nicole Portnoy, Nakia Rolling, Eric Russell, Michael Sussman, and Charmissa Tingle (together, "Plaintiffs") hereby respectfully move the Court for an Order that, among other things:

1. preliminarily approves the Settlement on the terms set forth in the Settlement Agreement between Consumer Track Plaintiffs and Wawa, Inc. dated February 9, 2021, as fair, reasonable, and adequate;
2. appoints the Settlement Administrator proposed by Plaintiffs;
3. approves the form, substance, and requirements of the Notice Program described in the Settlement Agreement, including the form and content of the notices appended to the Settlement Agreement as the best notice practicable as required by Rule 23(c)(2)(B) of the Federal Rules of Civil Procedure;
4. provisionally certifies the Settlement Class pursuant to Rules 23(a), (b)(3), and (e) of the Federal Rules of Civil Procedure; and

5. schedules a date and time for the Final Approval Hearing and sets related deadlines.

Defendant does not oppose this Motion.

In further support of this Motion, Plaintiffs are concurrently submitting (i) a proposed order; (ii) a memorandum of law in support of the Motion; and (iii) the declarations in support of this Motion of Interim Co-Lead Counsel, of Hon. Diane M. Welsh (Ret.) of JAMS, of Timothy O'Brien, Director of Planning and Analysis at Wawa, Inc., and of the proposed Settlement Administrator.

Consumer Track Plaintiffs respectfully request that their Motion be granted.

Dated: February 19, 2021

Respectfully submitted,

/s/ Sherrie R. Savett

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